

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

DONALD RAY NANCE, JR., )  
Petitioner, )  
v. ) Nos. 3:15-CV-387-TAV  
UNITED STATES OF AMERICA, ) 3:11-CR-21-TAV-CCS-1  
Respondent. )

**JUDGMENT ORDER**

For the reasons expressed in the accompanying memorandum opinion filed herewith, it is  
**ORDERED** and **ADJUDGED** that Petitioner Donald Nance's § 2255 motion [Doc. 22] is  
**DISMISSED WITH PREJUDICE**. If Petitioner files a notice of appeal from this judgment,  
such notice of appeal will be treated as an application for a certificate of appealability, which is  
**DENIED** pursuant to 28 U.S.C. § 2253(c)(2) and Fed. R. App. P. 22(b) because he has failed to  
make a substantial showing of the denial of a federal constitutional right. The Court  
**CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24 that any such appeal  
from this judgment would be frivolous and not taken in good faith.

**ENTER:**

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

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s/ Debra C. Poplin  
CLERK OF COURT